



AGILE

A Nontraditional Approach to Legal Project Management

by Kim Craig and Jenny Lee of Seyfarth Shaw LLP

“Make it bend — trees are flexible, so they don’t snap. Scar it, give it a twisted branch — perfect trees don’t exist. Nothing is perfect. Flaws are interesting. Be the tree.”

— Labsurie Halse Anderson

Project management is considered to be a fairly new area of focus by most in the legal profession. And with anything new, people look to case studies, authoritative sources and bodies of knowledge from which to model and shape the new paradigm. Just a few short years ago, there was little to be found on the study of legal project management (LPM). That has since changed, and LPM is all the rage, taking many shapes and dimensions. Most law firms are “trying LPM on for size” with no one approach proven as the holy grail. Seyfarth is no different. Through trial and error, we’ve had our successes and failures, but one thing was obvious early on, we were going to have to be open-minded and extremely flexible.

Legal practitioners and experienced project managers can often be at odds, even if they have the same goal in mind. Project managers usually do not want to start a project until clear scope, end-to-end planning and projected costs are documented in detail. Attorneys rely on their experience and training to begin execution almost immediately. As you can imagine, these professionals are sometimes like oil and water. Here’s how we have incorporated new approaches into LPM, specifically, the use of Agile.

EARLY YEARS

Our legal project management office (LPMO) has spent the last eight years managing an ever-growing portfolio of legal projects. Through the development of the firm's client service model, Seyfarth*Lean*, and with strong support from firm leadership, the LPMO has had an impact across the enterprise by applying project and process management, technical intelligence and innovative experience and thinking with an acute focus on delighting the client.

Like most project managers who are guided by the Project Management Institute's (PMI) Project Management Body of Knowledge (PMBOK), we based our early methodologies on traditional "waterfall" project management. Traditional project management instructs project managers to travel through the phases of a project only when the previous one is complete, and all deliverables for that phase are met and signed off. Traditional project management focuses on robust, comprehensive, mandatory project documentation with lengthy project charters, detailed project plans, complex status reports and rigorous, formal change control logs. Traditional project management disciplines, while valuable on some legal engagements, were contributing to our overall inability to effectively meet the demands of our legal teams. This was due to the fast pace, change management issues, and the high level of indeterminate factors unknown at the beginning of a matter.

FALSE STARTS

The world of legal service delivery is fast-paced and unpredictable. In legal matters, we cannot possibly know everything that will be involved with litigation at the outset. Developing an overall strategy is generally common practice, but detailed, cradle-to-grave planning is impossible. Whether managing a litigation matter wherein the discovery phase is a key element to determining strategy or a transactional deal where the due diligence effort will reveal critical aspects of how to proceed, both situations preclude the legal team from planning beyond those phases at the outset of the matter. Add to that, opposing counsel or parties attempting to derail you every step of the way, and you have a highly unpredictable, fast-changing environment. Additionally, we found stakeholders reluctant to consume multi-page project charters, status reports or other heavy project documentation. While we do concede that many elements of legal work are predictable, routine and process-driven, we found that most matters change daily and need to be managed in a more flexible, adaptable method.

Initially, when our traditional approaches and experiences were not well received or effective, the LPMO assumed we were not applying the right level of rigor. We often felt our tactics were chaotic as we continuously assembled and reassembled customized approaches and solutions for each engagement — some requiring very formal methodologies and others effectively being managed with only an emailed task list of bulleted items. We reused approaches and methods that worked — not everything was unique — but each manifestation of the assembled tools, documentation, resources, processes and approaches was slightly to wildly different. There was no one-size fits all approach. The one thing that became apparent

was that this tailored, customized approach was working, and new requests poured in.

DON'T REINVENT THE WHEEL; ROLL WITH IT

While there was no model or playbook for creating an LPM program when we began our journey, unbeknownst to us, there was a model for applying project management that was a better fit for our industry and environment. We are not afraid to say we became Agile by accident. Our approach through Seyfarth*Lean* positioned us well. Client-defined value is core to our program, as is continuous improvement and simplicity. Agile project management is an iterative and incremental means of executing on a project, where requirements and solutions evolve through collaboration between self-organizing, cross-functional teams and the client. While it may have its roots in software development, it has proven to be invaluable in our environment. There is no one set of Agile methods. In fact, there are dozens of methodologies that have adopted Agile principles, including Lean, Scrum, eXtreme Programming and others. Agile encourages teams to begin the work as soon as they know enough to start the work. Agile anticipates and embraces change; it is expected. These characteristics are precisely why Agile approaches can be so effective in the delivery of legal services.

WE DON'T "DO" AGILE, WE ARE AGILE

The underlying principles of Agile and Scrum have wide applicability to legal. There are three attributes to consider when determining the techniques to apply to a particular project:

- **Complexity:** If the project is overly complex, planning only from point A to point B might be the most efficient and effective path forward
- **Tempo:** If the project is moving quickly, less emphasis on documentation and more focus on client satisfaction could be the right approach
- **Changing Requirements:** If change is continuous, embrace it and respond by incorporating regular feedback cycles with the client

ASSESS

At the outset, it is important to understand client expectations. What are their needs? What are their pain points? Legal matters come in all shapes and sizes, as do the challenges faced by many inhouse counsel. Regularly scheduled "voice of client" meetings allow for a constant feedback stream. In partnership with our client-facing Legal Technology Innovations Office, we weave Legal Solutions Architects early into our client discussions to assist in assembling the most effective delivery framework. Our firm recognizes the importance of technology in driving efficiency, ease and control in client engagements, and this has been one of the keys to our success. The attorney is able to focus on the legal issues, while the

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legal project manager and legal solutions architect focus on the operational and business challenges that usually accompany any new project. This collaborative approach allows us to unearth innovative methods to create value-add solutions which are baked into our client engagements.

PLAN

Self-organizing teams, a fundamental element of Agile project management, allow for flexibility in workload and ensure the right people are doing the work. It is not about maintaining traditionally defined legal roles, but about empowering the team to ensure they are working to their strengths to exceed client expectations. The Scrum framework strongly encourages co-located and fully dedicated team members. While this is ideal, depending on a firm's size and practice group formations, this might not be feasible. Taking advantage of expertise, regardless of team members' locations, can be extremely beneficial for the client and ultimate project success. Scrum provides role definitions, which we have found beneficial.

- The **Product Owner** represents the client and is responsible for ensuring that the vision and strategy discussed with the client is uncompromised. He or she helps manage the flow of work to the team. The product owner is expected to do the best possible job of satisfying all stakeholders.
- The **Scrum Master** acts in a “servant leader” capacity fostering self-organization. It is his or her responsibility to ensure the team comes together to identify and implement the work necessary to get to “done.” A key function of this role is to remove internal and external impediments to the team's progress.
- **Team Members** typically represent a cross-functional group who, as a whole, has the necessary skills to successfully deliver the project. The team must have a clear understanding of “done” and work collaboratively to move the project forward to achieve those objectives.

Employing these roles in the legal environment does require some definition of the responsibilities and expectations. The primary focus on Agile legal projects is ensuring the team is only working on value-add tasks. Planning is very important and done iteratively, typically planning from point-to-point or by phase. The team determines what can be achieved in the desired timeframe and how it will be achieved. Other tasks that are not to be completed in the defined timeframe are considered backlog and will be reviewed for value and applicability at the next planning meeting.

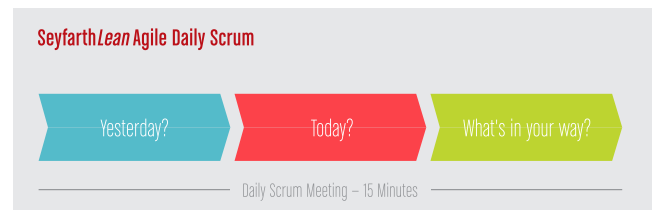
SPRINT

Sprints are set periods of time during which specific work must be completed. A sprint is preceded by a planning meeting where appropriate tasks are determined for completion during the sprint. At the end of the sprint, a retrospective meeting will take place where

progress is reviewed. Depending on the particular situation, we have found that one or two week sprints are most effective. However, every matter is different and may require a customized cadence. Regardless of the time allocated to each sprint, the true value of a sprint is the assurance that the team is responding to current, near-term client needs.

Once the plan and sprint are defined, the team interacts with regular frequency throughout the project. Daily standup meetings empower self-organized teams to continue moving the ball forward. These meetings do not necessarily have to be daily, but they do need to be short and to the point, usually no more than 15 minutes. At the standup meetings, each individual is asked to respond to three questions:

- What did you accomplish yesterday?
- What will you work on today?
- What is keeping you from completing your tasks?



Involving clients in standups is another way to demonstrate the team's collective focus on all the moving parts. It also builds trust among all parties involved and often increases efficiency. Kanban boards are an effective tool to track item backlog, work in progress and completed tasks. They are beneficial in visualizing and optimizing workflow in real time, and whether electronic or whiteboard with sticky notes, they often act as a centralized hub for team collaboration.

DELIVER

At the end of each sprint, a sprint review meeting is conducted to assess the work that was completed during the sprint time period. The team will review planned work that was not completed, and the completed work is presented to the key stakeholders. Inevitably, the client will have feedback. This is the time to collect the feedback, reassess the client's needs, the matter's strategy and any other relevant information to plan for the next delivery. Collecting feedback at this stage cultivates the art of listening and building a strong relationship with your client. These opportunities to present and review deliverables with the client are also opportunities to demonstrate commitment to results.

IMPROVE

Agile project management focuses on continuous improvement. It does not matter what you call this review with the team — a retrospective, lessons learned or post-mortem — the idea is to generate ideas and strategies for the next sprint. It is the time

to inspect the process and improve it. Our SeyfarthLean Agile approach ensures we incorporate client feedback into regularly scheduled meetings, not just at the end of a significant piece of work or end of matter. Many of our teams have incorporated a feedback agenda item into their regularly scheduled team and client meetings. We encourage this approach within all of our projects, and this continuous improvement aspect of Agile and Lean are critical elements to our program's success.

REPEAT


Depending on the project, there may be several iterations or sprints in order to complete the work. The project team checks the backlog and discussion notes, and begins again. Prior to the next sprint, the team will prioritize the tasks remaining in the backlog. It is important to consider the uncertainty of the task, the risk of including or not including the task, the value of the task and the cost of implementing the task. The product owner's input, along with feedback from the client, will make prioritization of the tasks a manageable process. Being agile ensures the sprints are value-driven, not project plan-driven.

SUCCESSFUL — “IN SPITE OF”

Though we had no formidable legal project management prototypes to model, we have been able to leverage our early successes and attorney relationships to gain the trust of legal teams to demonstrate our value. We have grown from a team of five to eighteen, the largest law firm LPMO in the world. Several members of our team are certified as PMPs (Project Management Professionals) through PMI, certified Six Sigma Green or Yellow Belts and have achieved their Scrum Master Certification or are Agile certified. These multiple disciplines provide us with a unique view and approach to our legal project management program. Our services have been employed in every practice department within the firm. Under our SeyfarthLean program, our journey continues and with the complement of agile thinking and practices, we foresee continued success and even greater adoption across the firm and, more important, enhanced client satisfaction.

TRIED AND PROVEN

Agile is not a magic bullet. It is, however, mature and scalable. The trick is to know your audience and culture. From your experiences, select a combination of the best project management approaches that are most appropriate for the project — whether Agile or Waterfall or a hybrid of the two. The most important elements for legal project management success is to align the right resources, tools, processes, methodologies and approaches to effectively deliver results. Legal Project Managers play an integral role in the success by utilizing their strengths in aligning these elements. Agile project management in the delivery of legal services will continue to grow organically through education, relationships, practice, success, failure and reflection. It is important to be flexible and not afraid to fail. If a particular approach or tool is not working, do not be afraid to change course and try new strategies until you achieve your goal.

Start simple. Try. Reflect. Improve. While Agile is flexible and responsive, the most important lesson is to be flexible about Agile. 



Kim Craig, PMP, Global Director of the Legal Project Management Office at Seyfarth Shaw LLP, is responsible for developing and leading the world's largest law firm LPMO and has helped shape the project management discipline in the legal profession. Kim is extremely passionate about sharing

her experiences, and she empowers others to be successful in this space. Contact her at kcraig@seyfarth.com.



Jenny Lee, PMP is a Senior Legal Project Manager in the Legal Project Management Office at Seyfarth Shaw LLP, which leads the continuous improvement of client-service delivery through the application and education of legal project management across the firm. Her knowledge, training and experience compliment

her ability to successfully lead projects in partnership with firm attorneys and clients. Contact her at jlee@seyfarth.com.



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